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PATENT

ATTORNEY DOCKET NO.: DIVER1280-10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Short and Keller Art Unit: 1636
Application No.: 09/848,095 Examiner: B. Loeb
Filed: May 3, 2001
Title: HIGH THROUGHPUT SCREENING FOR NOVEL ENZYMES

Commissioner of Patents
Washington, D.C. 20231

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TERMINAL DISCLAIMER

Sir:

The undersigned, attorney of record for Petitioner, DIVERSA CORPORATION, with its place of business at 10665 Sorrento Valley Road, San Diego, CA 92121, represents that Petitioner is the Assignee of 100 percent interest in Application Serial No. 09/848,095, filed May 3, 2001, entitled HIGH THROUGHPUT SCREENING FOR NOVEL ENZYMES, as evidenced by the Assignment recorded on September 22, 1998 in the United States Patent and Trademark Office on Reel 9488, Frame 0675.

The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, August 20, 2002 , in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
Cecilia Tobin (Name of Person Mailing Paper)	
<i>Cecilia Tobin</i> (Signature)	August 20, 2002 (Date)

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Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION disclaims the terminal part of any patent granted on the above-identified Application No. 09/848,095 that would extend beyond the expiration date of U. S. Patent No. 6,174,673. Petitioners hereby agree that any patent so granted on the above-identified application No. 09/848,095 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,174,673, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

To cover the fee to file the Terminal Disclaimer, Applicants enclose herewith a check in the amount of \$55.00. The Commissioner is hereby authorized to charge any additional fee associated with filing this Terminal Disclaimer, or that may be required by this paper, or to credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of the Transmittal Sheet is enclosed.

Respectfully submitted,

Date: August 20, 2002



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Enclosure: Check for \$55.00